

THE HONORABLE KYMBERLY K. EVANSON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CINDY BALMORES,
JUSTIN BRASWELL,
DEBORAH GARVIN, and
THEA ANDERSON,
for themselves,
as private attorneys general, and
on behalf of all others similarly situated,

Plaintiffs,

v.

SIRIUS XM RADIO INC.,

Defendant.

Case No. 2:24-cv-886-KKE

**STIPULATED MOTION AND ORDER
TO FURTHER STAY CASE AND TO
CONTINUE DEADLINES**

STIPULATION

WHEREAS, on June 21, 2024, Plaintiffs Cindy Balmores, Justin Braswell, Deborah Garvin and Thea Anderson, on behalf of themselves and all other similarly situated (collectively, “Plaintiffs”), filed their Complaint against Defendant Sirius XM Radio Inc. (“Sirius XM”) in this civil action captioned *Balmores v. Sirius XM Radio Inc.* (Dkt. 1);

WHEREAS, on July 18, 2024, this Court entered a Stipulation And Order To Stay Cases Pending Mediation (Dkt. 6) that stayed these proceedings in their entirety for sixty (60) days so that the parties could pursue mediation;

WHEREAS, on September 6, 2024, the parties filed a Joint Status Report (Dkt. 7) that advised the Court that the mediation had occurred but that the parties had not been successful in coming to a settlement;

WHEREAS, on October 29, 2024, the parties filed their Joint Rule 26(f) Report And Discover Plan (Dkt. 9), which proposed multiple deadlines, including a deadline for the filing of Plaintiffs’ motion for class certification (Dkt. 9, § 4), a deadline for the close of fact discovery (Dkt. 9, § 5(B)(ii)) and deadlines governing expert discovery (*Ibid.*);

WHEREAS, the parties are currently in the process of diligently exploring a potential resolution of this civil action;

WHEREAS, the parties’ efforts at resolution would be aided by the Court’s staying this civil action in its entirety for a further sixty (60) calendar days and by continuing all deadlines proposed in the Joint Rule 26(f) Report And Discover Plan by sixty (60) calendar days;

NOW, THEREFORE, PLAINTIFFS AND SIRIUS XM STIPULATE, AGREE AND RESPECTFULLY REQUEST THAT THIS COURT ORDER THAT:

1. These proceedings be stayed in their entirety for a period of sixty (60) calendar days from the date of entry of this Order;

2. All deadlines proposed in the Joint Rule 26(f) Report And Discovery Plan be continued by sixty (60) calendar days; and

3. The parties shall provide the Court with a joint status report no less than seven (7) calendar days prior to the expiration of the stay.

DATED: November 3, 2024

JONES DAY

/s/ Eric P. Stephens

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**Pro hac vice* application to be submitted

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**Pro hac vice* application to be submitted

Attorneys for Plaintiffs

and the Proposed Class

ORDER

IT IS SO ORDERED:



Kimberly K. Evanson

United States District Judge

November 4, 2024